

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

GERALD DEMARSH SR,	§	
	§	
v.	§	Civil Action No. 4:16-CV-89
	§	(Judge Mazzant/Judge Nowak)
	§	
CITY OF DENTON, TEXAS, ET AL.	§	

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On August 30, 2016, the report of the Magistrate Judge (Dkt. #6) was entered containing proposed findings of fact and recommendations that both Plaintiff's Motion for Leave to Proceed In Forma Pauperis (Dkt. #3) and Defendant Denton County, Texas's Motion to Dismiss (Dkt. #4) be granted.

Having received the report of the Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Plaintiff's Motion for Leave to Proceed In Forma Pauperis (Dkt. #3) is **GRANTED**.

It is further **ORDERED** that Defendant Denton County, Texas's Motion to Dismiss (Dkt. #4) is **GRANTED**, and Plaintiff's claims against each of Defendants City of Denton, Denton County, Texas, and State of Texas are **DISMISSED** with prejudice.

All relief not previously granted is **DENIED**. The Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this 26th day of September, 2016.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE